

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NICHOLAS SAMPSON,	)	
	)	
Plaintiff,	)	8:07CV155
	)	
vs.	)	ORDER
	)	
INV. EARL SCHENK, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on the defendants' William Lambert and Charlie O'Callaghan's Motion to Stay (Filing No. 17). These defendants seek a stay of any deadline to provide a Fed. R. Civ. P. 26(f) planning report or provide initial disclosures until after this court rules on the defendants' pending motion to dismiss (Filing No. 15). The defendants' motion challenges the plaintiff's complaint on the basis of sovereign immunity. Generally, "immunity operates to protect governmental officials from both the burdens of trial and discovery." *Lovelace v. Delo*, 47 F.3d 286, 287 (8th Cir. 1995) (citing *Harlow v. Fitzgerald*, 457 U.S. 800, 814, 817-18 (1982)). The court finds the defendants have shown good cause for a stay until the merits of the dispositive motion is resolved. Upon consideration,

**IT IS ORDERED:**

1. The defendants' Motion to Stay (Filing No. 17) is granted.
2. The parties shall have **twenty (20) days** from the date an order is filed on the currently pending motion to dismiss (Filing No. 15), in which to file their planning report as required by Fed. R. Civ. P. 26(f).

DATED this 3rd day of July, 2007.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge